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Dated: September 25, 2006 Signature: amc

(Arthur S. Ortega)

Docket No.: LOREAL 3.0-058  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Philippe Briand

Application No.: 10/645,771

Group Art Unit: 3754

Filed: August 21, 2003

Examiner: J. A. Kaufman

For: DISPENSER DEVICE

**APPELLANT'S REPLY BRIEF**

MS Appeal Brief - Patents  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Appellant hereby files this Reply Brief in response to the Examiner's Answer dated July 24, 2006, pursuant to 37 C.F.R. § 41.41.

Appellant submits this Reply Brief to address several issues presented by the Examiner's Answer. Despite the Examiner's allegations to the contrary: (a) there is clear written description support for the subject matter in claims 20, 22, 24, and 26; (b) claims 1, 2, 4-11, 13, 14, and 16-27 are not anticipated by Stull; and (c) claims 3, 12, and 15 are not obvious over Stull. These issues will be addressed below.

Appellant acknowledges that in the Examiner's Answer, the Examiner has found Appellant's remarks concerning the dispenser surface receiving flow from the orifice persuasive and has withdrawn the rejection of claims 21, 23, 25, and 27 under 35 U.S.C. § 112, first paragraph.

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